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In re application of
Mitchell R. Swartz
Application No. 09/750,480
Filed: December 28, 2000
For: METHOD AND APPARATUS TO
MONITOR LOADING USING
VIBRATION

MAILED

APR 28 2003

DIRECTOR'S OFFICE
TECHNOLOGY CENTER 3600

DECISION ON PETITION
TO WITHDRAW THE
HOLDING OF ABANDONMENT

This is in response to applicant's petition to withdraw the holding of abandonment filed in the United States Patent and Trademark Office (USPTO) on October 28, 2002. The delay in treating this petition is sincerely regretted.

The petition is **DISMISSED as moot**.

A review of the application file reveals that the application was held abandoned for failure to properly respond to the Office letter mailed on January 16, 2002.

A further review reveals that the original response of March 1, 2002 has since been matched with the file. That original response is timely. Since a timely response to the Office letter of January 16, 2002 has been filed, the abandonment will be withdrawn. Since the original of the response in question is now in the file, there is no need to treat the petition on the merits and it is therefore dismissed as moot.

This application will be forwarded to the Supervisory Legal Instruments Examiner to withdraw the abandonment, return the application to pending status and enter the original response filed March 1, 2002 before forwarding to the examiner for treatment on the merits.


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SNM/tpl: 4/25/03